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*Attorneys for the United States of America*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
QUINTILANO GUSTAVO MONTES,  
  
Defendant.

Case No. 2:23-mj-00455-BNW  
**MOTION TO DISMISS**

On May 25, 2023, the United States filed a complaint against Quintilano Gustavo Montes, (“defendant”) for (1) operating a motor vehicle under the influence of alcohol, a violation of 36 C.F.R. § 4.23(a)(1); (2) refusal to submit to a chemical test, a violation of 36 C.F.R. § 4.23(c)(2); and (3) open container of alcoholic beverage, a violation of 36 C.F.R. § 4.14(b).

On July 24, 2024, the parties entered into a plea agreement. Montes pleaded guilty to count three. The government dismissed counts one and two. The parties jointly recommended that the defendant be sentenced to a fine of \$250. Upon proof of payment of the fine, the government would move to dismiss count three. The Court sentenced defendant in accordance with the parties’ recommendation.

1 On July 24, 2024, Assistant Federal Public Defender Matthews provided proof of  
2 the \$250 payment. Based on the proof of the payment of the fine, the government moves  
3 to dismiss count three of the complaint and close this case.

4 DATED this 28th day of July, 2024.

5  
6 RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

7  
8 By /s/ Keisha Matthews  
9 KEISHA K. MATTHEWS  
10 Assistant Federal Public Defender

/s/ Skyler H. Pearson  
By  
SKYLER H. PEARSON  
Assistant United States Attorney

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12  
13 DATED: 8/22/2024

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16 UNITED STATES MAGISTRATE  
JUDGE